# Saint Paul Planning Commission City Hall Conference Center 15 Kellogg Boulevard West

## Minutes January 22, 2010

A meeting of the Planning Commission of the City of Saint Paul was held Friday, January 22, 2010, at 8:30 a.m. in the Conference Center of City Hall.

**Commissioners** Mmes. Donnelly-Cohen, Morton, Smitten, Thao; and

**Present:** Messrs. Alton, Commers, Goodlow, Gordon, Johnson, Kramer, Margulies,

Nelson, Schertler, Spaulding, and Ward.

**Commissioners** 

Absent:

Mmes. \*Faricy, \*Porter, \*Wencl, and Mr. \*Wickiser

\*Excused

Also Present: Donna Drummond, Planning Director; Lucy Thompson, Allan Torstenson,

Patricia James, Merritt Clapp-Smith, Luis Pereira, Jessica Rosenfeld, Anton Jerve, Emily Goodman, Tia Anderson and Sonja Butler, Department of Planning

and Economic Development staff.

I. Approval of minutes January 8, 2010.

<u>MOTION</u>: Commissioner Nelson moved approval of the minutes of January 8, 2010. Commissioner Donnelly-Cohen seconded the motion. The motion carried unanimously on a voice vote.

#### II. Chair's Announcements

Chair Alton announced that the City Council approved the reappointments of Erick Goodlow, Richard Kramer, and Michael Margulies to the Planning Commission, and he congratulated them on their reappointments. At the same meeting the City Council also approved the appointment of new members to replace Commissioners Faricy, Gordon, Lu, Morton, Barrera, Johnson and Alton. For the commissioners who are transitioning off the next meeting on February 5, 2010 will be their last meeting and the new commissioners will be sworn in. All of the commissioners, current and new, are expected to attend and participate in the matters before the Planning Commission. Chair Alton thanked the commissioners for their good service on the Planning Commission.

## **III.** Planning Director's Announcements

Donna Drummond reported that the City Council laid over to January 27, 2010 the approval of preliminary Central Corridor streetscape assessments because Councilmember Carter was out of town. There was also a public hearing to consider the appeal of Ray Matter regarding conditions the Planning Commission had approved for establishment of legal nonconforming use for an excavating business at 770 Brookline Street. The City Council upheld the Planning

Commission's decision and the appeal was denied.

#### IV. PUBLIC HEARING:

Chair Alton announced that the Saint Paul Planning Commission was holding a public hearing on the Zoning Amendments to Saint Paul's Off-Street Parking Requirements and Design Standards. Notice of the public hearing was published in the Legal Ledger on December 24, 2009, and was sent to the citywide Early Notification System list and other interested parties.

Merritt Clapp-Smith, PED staff, said that there have been two staff presentations on the materials from the proposed code amendments for the off-street parking requirements and design standards. At the last meeting in December, the commissioners received all of the code amendments, the rationale for those amendments and all of the public comments from the fall public and stakeholder meetings. Since December things have been quiet, but staff did receive seven (7) formal comments that are in the commissioners packets today, two (2) letters from residents, one (1) from a landscape architect, one (1) from District 12 Community Council, one (1) from the Metropolitan Consortium of Community Developers, one (1) from Saint Paul Smart Trips and one (1) from Transit for Livable Communities. The comments have been generally supportive of the proposed revisions.

Chair Alton read the rules of procedure for the public hearing.

The following people spoke.

- 1. Ms. Barb Thoman, employed with Transit for Livable Communities and a Saint Paul resident. Ms. Thoman said that a few years ago, Transit for Livable Communities wrote a report called the "Myth of Free Parking" and many of the recommendations in that report are recommendations that are now being considered as part of the proposed parking code changes. Transit for Livable Communities strongly compliments staff and offers their support of this really important work that is being done. They believe that parking orientation in Saint Paul should be more urban rather then suburban; that the historic strength of Saint Paul and the future strength of the city is in being more compact, mixed-use and walkable. Ms. Thoman said that they support the new minimums and maximums, and in their letter they encourage consideration of reducing the maximum even further than what is proposed. They believe the proposed parking code revisions will contribute to making the city of Saint Paul the most livable city in the country.
- 2. Mr. Chuck Repke, Executive Director of District 2 Community Council. He thanked the departing commissioners who have been on the Planning Commission for many, many years. He said that it has been an honor and pleasure to be able to come in front of them and bring the concerns of the neighborhood he represents over the years.

Mr. Repke said that District 2 has several concerns about the proposed parking standards. They are concerned about the change in standards for automotive repair, auto sales lots, and related auto businesses, because the building size of an auto business has nothing to do with how many parking spaces are needed. They support the proposed code amendments for things like restaurants, cafés and coffee shops which reduce them to the same requirement as other retail uses. The neighborhoods want new restaurant choices

and having consolidated requirements will aid development of sites that can't supply enough parking for restaurants. They are concerned that bingo halls, pawn shops and currency exchanges often have other accessory uses that increase the traffic; though they may be small facilities they may have a larger parking demand then the building size would indicate. He encouraged the Planning Commission in going through the final determination on these things to not reduce requirements that would facilitate uses that often cause neighborhood concerns. Making parking requirements more lenient does not seem to make much sense to them.

<u>MOTION</u>: Commissioner Donnelly-Cohen moved to close the public hearing, leave the record open for written testimony until 4:30 p.m. on Tuesday, January 26, 2010, and to refer the matter back to the Comprehensive Planning Committee for review and recommendation. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.

## V. Annual Meeting

<u>Planning Director's report on achievements during 2009 and goals for 2010.</u> (*Donna Drummond*, 651/266-6556)

Donna Drummond, Planning Director, noted that at the commissioners places was a two sided paper, and on one side are the topics included in the draft Planning Commission annual report. The Communications Committee will be meeting right after the Planning Commission meeting to review the draft report and finalize it. Ms. Drummond highlighted some of the projects in the draft report and talked about emerging 2010 planning work program priorities. The past year there has been a lot of work on the Central Corridor. This work is follow-up work from the base foundation that was laid by the Central Corridor Development Strategy, which the commissioners worked on with a couple of community task forces and was adopted by City Council in 2007. She noted work on additional station area plans, the Bike Walk Central Corridor Action Plan, the Parking report and workshops, and an EPA Brownfields grant. There has also been a lot of work on the streetscape design and funding of the streetscape improvements. The significant zoning studies for 2009 include the Design Standards zoning amendments and Dynamic Display zoning amendments. A substantial amount of work was also done on the Parking Code study.

Work continued on the Ford site redevelopment, with completion of the Ford Site Green Manufacturing Reuse Study, and the Ford Site Sustainable Redevelopment Study. The Ford Task Force met again for the first time in over a year in January and Tony Schertler will be taking over as the Planning Commission Co-Chair for Carole Faricy. There was a lot of work on 3M campus redevelopment planning and several of the commissioners were very active in some of those working groups. Three more neighborhood district plans were adopted, including Districts 2, 4 and 8. Staff has done a lot of work on Invest Saint Paul and funding received from the federal government through the Neighborhood Stabilization Program to deal with the housing foreclosure crises in the city. Planning staff have been assisting PED project management staff in developing a targeted funding strategy to make the best use of the funds.

For 2010 there will be continued work on Central Corridor and on implementation of some of the key studies and efforts recommended in the Comprehensive Plan. These have been identified as key planning performance measures for PED. The Mayor's office has asked that each department identify some performance measures, picking out several key performance measures that progress can be measured on over the year. What is listed on the handout is still in the discussion stages

with the Mayor and City Council. Some additional planning projects anticipated for 2010 include: additional work on Ford and 3M, and a study of the West Midway area, which is the city's biggest industrial area, to determine how it can be positioned for future job growth. Anticipated zoning studies include the River Corridor Critical Area and Floodplain Regulations, Airport Zoning, digital zoning maps and zoning casework.

Commissioner Schertler said in regards to the study of the West Midway industrial area, there is a certain cost to provide government services for each type of land use. For example, it costs more to serve residential areas. When developers come in to rezone property, has there ever been an effort to quantify the fiscal impacts of the different land uses?

Ms. Drummond said that staff has actually been working on a fiscal impact tool to do that very thing. It is a work in progress, as it very reliant on the cost factors and assumptions that you make on the front end. Staff is continuing to try and tweak that as an effective tool to look at the cost of proposed new developments.

Commissioner Commers asked where the City's economic development agenda appeared on this list of 2010 priorities?

Ms. Drummond said that a lot of the listed projects relate to economic development and are about creating a good foundation or framework for economic development.

Report of Nominating Committee and Election of Officers.

Chair Alton reported on behalf of the Nominating Committee. The committee offered the following slate of officers: Kathi Donnelly-Cohen for Chair, Jon Commers for First Vice-Chair, Kristina Smitten for Second Vice Chair, and Marilyn Porter for Secretary.

Chair Alton called for nominations from the floor. There were none.

<u>MOTION</u>: Commissioner Commer moved to approve a unanimous ballot for Marilyn Porter, as Secretary. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.

<u>MOTION</u>: Commissioner Donnelly-Cohen moved to approve a unanimous ballot for Kristina Smitten, as Second Vice-Chair. Commissioner Thao seconded the motion. The motion carried unanimously on a voice vote.

<u>MOTION</u>: Commissioner Johnson moved to approve a unanimous ballot for Jon Commers, as First Vice-Chair. Commissioner Spaulding seconded the motion. The motion carried unanimously on a voice vote.

<u>MOTION</u>: Commissioner Commers moved to approve a unanimous ballot for Kathi Donnelly-Cohen, as Chair. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.

Chair Alton expressed his gratitude to the staff and Planning Commissioners for their support and help to him while he was chair over the past four years. He said it has been a very enjoyable experience. He thanked everyone and is looking forward to a few more months of service on the

Planning Commission before he is replaced by a new commissioner.

## VI. Zoning Committee

**SITE PLAN REVIEW –** List of current applications. (Tom Beach, 651/266-9086)

None.

#### **NEW BUSINESS**

<u>09-519-870 Highland Business Association</u> – Conditional Use Permit for seasonal outdoor farmers' market. 2078 Ford Parkway, SW corner at Cleveland. (*Emily Goodman*, 651/266-6551)

At the question of Commissioner Thao, Commissioner Morton clarified that (11) vendor spaces is the maximum number.

<u>MOTION</u>: Commissioner Morton moved the Zoning Committee's recommendation to approve the conditional use permit subject to additional conditions. The motion carried unanimously on a voice vote.

#09-324-603 Pawn America Minnesota – Conditional Use Permit for a pawn shop. 334 University Avenue East, SE corner at Mississippi Street. (*Emily Goodman*, 651/266-6551)

Commissioner Alton noted that a letter was received and distributed dated January 22, 2010 from counsel for the applicant in this matter, requesting that this matter be referred back to committee on the basis that the applicant would be willing to commit to some additional considerations and additional conditions.

Commissioner Kramer said that the Zoning Committee did lay this over once before, but the Zoning Committee was primarily concerned with maintaining the industrial character of the area as opposed to the other issues, although those are cited in the resolution.

<u>MOTION</u>: Commissioner Kramer moved the Zoning Committee's recommendation to deny the conditional use permit, and provided amended findings #4.

Chair Donnelly-Cohen called for a roll call vote, and explained that Commissioners voting in favor of the resolution needed to state the basis for their vote, which could be the reasons incorporated in the amended resolution.

<u>ROLL CALL VOTE</u>: The motion to deny the conditional use permit carried on a roll call vote 11-4 (Alton, Commers, Schertler, Ward).

#09-511-625 Pawn America Minnesota – Variance of required parking (27 spaces required, 22 spaces proposed). 334 University Avenue East, SE corner at Mississippi Street. (*Emily Goodman, 651/266-6551*)

Commissioner Kramer suggested that, regardless of a Commissioners' position on the conditional use permit application, the parking variance should not be approved without knowing the intended use of this property.

<u>MOTION</u>: Commissioner Kramer moved the Zoning Committee's recommendation to deny the variance.

Chair Donnelly-Cohen called for a roll call vote, and reminded Commissioners voting for the resolution to state their reasons, which could be the reasons provided in the resolution.

<u>ROLL CALL VOTE</u>: The motion to deny the variance carried on a roll call vote 12-3 (Alton, Schertler, Ward).

#09-423-979 Walgreens (Ford Parkway #2) – Site plan review for a new Walgreen's Drug Store and second commercial building. 2101 Ford Parkway. *Tom Beach*, 651/266-9086)

Commissioner Morton reported that the Zoning Committee laid this case over to the January 28, 2010 meeting.

Commissioner Morton announced the items on the agenda for the next Zoning Committee meeting on Thursday, January 28, 2010.

## VII. Comprehensive Planning Committee

<u>Downtown Station Area Plan</u> - Consideration of public comments and recommendation to forward to City Council for adoption, subject to Metropolitan Council review. (*Lucy Thompson*, 651.266.6578)

Lucy Thompson, PED staff, highlighted the key issues raised during the public input period and at the Planning Commission public hearing on December 18, 2009. Based on public comment, the Committee is recommending changes to the Plan, which are outlined on the last page of the memo. A couple of the proposed amendments deal with the Children's Play Space at 4<sup>th</sup>/Sibley. Community members asked for specific mention of the importance of the play space so that funding for its retention and improvement is supported by the Comprehensive Plan. There was also a fair amount of testimony and Committee discussion about parking, and some changes to the text are recommended in response. The resolution recommends that the *Downtown Station Area Plan* be forwarded to the Mayor and City Council with the amendments noted in the January 15<sup>th</sup> memo for adoption by the City Council, contingent on review by affected jurisdictions and the Metropolitan Council.

Commissioner Kramer asked about the Trout Brook Boulevard, questioning what showing it on plan maps means relative to the City's actual position on constructing the new road. There is not much text talking about the purpose of the road, and in the past there have been concerns about the connection.

Ms. Thompson said that the draft plan shows Trout Brook Boulevard as a solid line, which would imply that it is already in place. The graphics will be changed to a dotted line to show that it is a desired connection. The community members that worked on the *Downtown Station Area Plan* feel that Trout Brook Boulevard is an important way to connect the east side of downtown with the Mississippi River, as well as Lowertown with the Bruce Vento Nature Sanctuary.

Commissioner Kramer said his only concern is that they do not end up using this plan to make the final decision on the road without a more significant public process.

Ms. Thompson said that she thinks the language (and she does not have it with her) says something like explore Trout Brook Boulevard as a connection to the Mississippi River and between Lowertown and the Bruce Vento Nature Sanctuary. She will go back and look at the language and change it if necessary.

<u>MOTION</u>: Chair Donnelly-Cohen moved on behalf of the Comprehensive Planning Committee to recommend that the Downtown Station Area Plan be adopted by the City Council subject to review by affected jurisdictions and the Metropolitan Council. The motion carried unanimously on a voice vote.

### **VIII.** Neighborhood Planning Committee

Chair Donnelly-Cohen announced the next Neighborhood Planning Committee meeting is on Wednesday, January 27, 2010.

#### IX. Communications Committee

Commission Smitten said that they are reviewing the annual report for the Planning Commission's 2009 work right after the meeting. She invited any commissioner not on the committee to join them in looking at the draft, particularly task force chairs and committee chairs. She will be working with staff to revise and strengthen certain areas of the report.

## X. Task Force Reports

Commissioner Thao announced that the Hamline, Victoria, and Western Station Area Planning Steering Committee will be meeting on Wednesday, January 27, 2010.

Commissioner Kramer announced that the City was awarded legacy money, which is constitutional amendment money, of over a million dollars to complete a trail in Cherokee Park between Ohio and Delaware. It was in the DNR list that came out yesterday, but the media has not picked up on it yet.

## XI. Old Business

None

#### XII. New Business

None

#### XIII. Adjournment

Meeting adjourned at 9:45 a.m.

Recorded and prepared by Sonja Butler, Planning Commission Secretary Planning and Economic Development Department, City of Saint Paul

Respectfully submitted,	Approved
,	(Date)
Donna Drummond	Marilyn Porter
Planning Director	Secretary of the Planning Commission

Butler\planning commission\January 22, 2010